

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

BRIAN WATSON, et. al., individually and on ) Case No.: 20-cv-04572-LGS  
behalf of all others similarly situated, )  
 )  
Plaintiffs, )  
 )  
vs. )  
 )  
 )  
MANHATTAN LUXURY AUTOMOBILES, )  
INC. d/b/a LEXUS OF MANHATTAN, )  
 )  
Defendants. )  
 )  
 )

**DECLARARATION OF DANIEL ZEMEL IN SUPPORT OF  
PLAINTIFFS’ DAUBERT MOTION TO STRIKE OR EXCLUDE CERTAIN EXPERT  
OPINIONS OF DEFENDANT’S EXPERT KEN SPONSLE**

Under 28 U.S.C. § 1746, I, Daniel Zemel, do hereby declare under penalty of perjury,  
that the following is true and correct:

1. I am an attorney admitted in the Southern District of New York and I represent BRIAN WATSON, DANIEL SAMARGHITAN, ANNMARIE GREENE f/k/a ANNMARIE MOHAMMED, JOSE ESPINAL, LYMELL JACKSON (“Plaintiffs”) in the above captioned matter.
2. I submit this Declaration in support of Plaintiffs’ Daubert Motion.
3. Attached as Exhibit A is a true and accurate copy of the Expert Report of Ken Sponsler submitted on December 17, 2020.
4. Attached as Exhibit B is a true and accurate copy of the Rebuttal Expert Report of Ken Sponsler submitted on August 11, 2021.
5. Attached as Exhibit C is a true and accurate copy of the Supplemental and Rebuttal Expert Report of Ken Sponsler submitted December 15, 2021.

6. Attached as Exhibit D is a true and accurate copy of the Deposition of Ken Sponsler taken on August 24, 2021.

7. Given the confidential and protected nature of these exhibits, Plaintiff has simultaneously filed these exhibits as sealed attachments to Plaintiff's Motion to Seal.

In accordance with 28 U.S.C. § 1746, I, Daniel Zemel, do hereby certify under penalties of perjury, that the above statements are true and correct to the extent they reflect my personal knowledge and otherwise are based upon my information and belief.

Dated: February 16, 2022

/s/ Daniel Zemel  
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